

should not be discharged from the levy, and said warrant shall be returnable in not less than five days; and if an earlier day shall have been fixed for the sale of the property so levied upon, the justice shall make an order on the warrant requiring a postponement of the same until after the return day; and upon hearing the parties, or such of them as may attend after being summoned, he shall order the property to be delivered to the claimants, or the person from whom it was taken, or shall dismiss the summons, as may seem most proper, and may give such judgment for costs as shall seem just, subject, however, to the right of appeal, as now provided by law; and upon appeal from the judgment of a justice awarding the property to the claimant, the justice shall require security of the claimant for the safe keeping and return of the property, to await the determination of the appeal.

Security on  
appeal

Ibid  
Judgment on  
appeal

70. Upon appeal from an order or judgment under the preceding section, the court hearing such appeal shall give such judgment respecting the property, the expense of keeping it, and any injury done it as may appear to be most equitable to all parties.

Approved March 12, 1870.

## ARTICLE LIII.

### *Landlord and Tenant.*

17. Property exempt from distress.

| 22 When rent or advances a lien on crops.

1870, c. 169 repeals section 17 and enacts in lieu thereof the following :

1870, c. 169.  
Property ex-  
empt from dis-  
tress

SEC. 17. The following property shall be exempt from distress for rent, to wit: Every spinning-wheel, loom or sewing machine, which may be loaned or hired to the tenant; and every horse, carriage and harness, whip and robe, saddle and bridle, not the